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Attorneys for Plaintiff
Tim Teichert, Personal Representative of the
Estate of Minerva Teichert

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

**TIM TEICHERT, PERSONAL
REPRESENTATIVE OF THE
ESTATE OF MINERVA
TEICHERT,**

Plaintiff,

vs.

**THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS,
BRIGHAM YOUNG
UNIVERSITY, BRIGHAM
YOUNG UNIVERSITY MUSEUM
OF ART, DESERET
MANAGEMENT CORPORATION,
DESERET BOOK COMPANY and
LATTER-DAY HOME LLC,**

Defendants.

Case No.: 8:23-cv-00180-FWS-JDE

**DECLARATION OF ERICA J.
VAN LOON IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO
DEFENDANTS' MOTION TO
TRANSFER VENUE**

Judge: Hon. Fred W. Slaughter
Hearing Date: May 18, 2023
Time: 10:00 a.m.
Courtroom: 10D

1 I, Erica J. Van Loon, declare as follows:

2 1. I am a partner with the law firm of Nixon Peabody LLP, attorneys
3 of record for Plaintiff Tim Teichert, Personal Representative of the Estate of
4 Minerva Teichert (“**Plaintiff**”) in the above-captioned action. Unless
5 otherwise indicated, I have personal knowledge of the following and would
6 and could testify competently to the same.

7 2. I am submitting this declaration in support of Plaintiff’s
8 Opposition to Defendants’ Motion to Transfer (the “**Motion**”) [Dkt. 37].

9 3. Attached hereto as **Exhibit A** is a true and correct copy of the
10 Order on Objection and Amendment to Objection to Third Verified Interim
11 Report and Continued Administration, entered by the District Court of the
12 Third Judicial District of the State of Wyoming In and For Lincoln County on
13 April 20, 2023.

14 4. Attached hereto as **Exhibit B** is a true and correct copy of a
15 webpage titled “Facts and Statistics – California,” as captured on March 17,
16 2023, at the following URL: [https://newsroom.churchofjesuschrist.org/facts-](https://newsroom.churchofjesuschrist.org/facts-and-statistics/state/california)
17 [and-statistics/state/california](https://newsroom.churchofjesuschrist.org/facts-and-statistics/state/california).

18 5. Attached hereto as **Exhibit C** is a true and correct copy of a
19 webpage titled Facts and Statistics – Wyoming, as captured on March 17, 2023,
20 at the following URL: [https://newsroom.churchofjesuschrist.org/facts-and-](https://newsroom.churchofjesuschrist.org/facts-and-statistics/state/wyoming)
21 [statistics/state/wyoming](https://newsroom.churchofjesuschrist.org/facts-and-statistics/state/wyoming).

22 6. On March 3, 2023, I became aware of correspondence sent by
23 Megan McGrath, who provided an email address of
24 infringements@churchofjesuschrist.org, to High Desert Dry Goods, an online
25 retail business operated by Gina Teichert. To the best of my knowledge, Gina
26 Teichert is a resident of the State of California. Attached hereto as **Exhibit D**
27 is a true and correct copy of the correspondence I understand was received by
28

1 Ms. Teichert on behalf of High Desert Dry Goods.

2 7. Attached hereto as **Exhibit E** is a true and correct copy of the
3 Second Amended Order on Initial Pretrial Conference, entered by the United
4 States District Court for the District of Wyoming on April 21, 2023.

5 8. Attached hereto as **Exhibit F** is a true and correct copy of a
6 webpage titled Facts & Figures, as captured on April 26, 2023, at the following
7 URL: <https://www.byu.edu/facts-figures>.

8 9. On April 21, 2023, Andrew Winetroub, counsel at Nixon Peabody
9 LLP and an attorney for Plaintiff, conducted a search on the Kayak website,
10 which I understand aggregates travel-related information, for direct flights
11 between Salt Lake City International Airport and Los Angeles International
12 Airport, flights between Salt Lake City International Airport and Cheyenne
13 Regional Airport, and Salt Lake City International Airport and Casper-Natrona
14 County International Airport. For purposes of running the search, Mr.
15 Winetroub searched for one-way flights on May 19, 2023, which is the day
16 after the hearing on the Motion. I am informed that the search results showed
17 13 direct flights from Salt Lake City International Airport to Los Angeles
18 International Airport, 1 direct flight from Salt Lake City International Airport
19 to Casper-Natrona County International Airport, and no direct flights from Salt
20 Lake City International Airport to Cheyenne Regional Airport.

21 10. Attached hereto as **Exhibit G** is a true and correct copy of the
22 "California Central" page within the document titled "United States District
23 Courts – Combined Civil and Criminal Federal Court Management Statistics
24 (December 31, 2022)," as downloaded on April 21, 2023 from the URL:
25 [https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1](https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2022.pdf)
26 [231.2022.pdf](https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2022.pdf). I understand "California Central," as used in this document,
27 means and refers to the United States District Court for the Central District of
28

1 California.

2 11. Attached hereto as **Exhibit H** is a true and correct copy of the
3 “Wyoming” page within the document titled “United States District Courts –
4 Combined Civil and Criminal Federal Court Management Statistics
5 (December 31, 2022),” as downloaded on April 21, 2023 from the URL:
6 [https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1](https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2022.pdf)
7 [231.2022.pdf](https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile1231.2022.pdf). I understand “Wyoming,” as used in this document, means and
8 refers to the United States District Court for the District of Wyoming.

9 I declare under penalty of perjury under the laws of the United States of
10 America and of the State of California that the foregoing is true and correct.

11 Executed this 27th day of April, 2023 in Los Angeles, California.

12 /s/ Erica J. Van Loon
13 Erica J. Van Loon